

--	--

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED, TYPE-I

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:09-cv-02120-JDB**

KELLOGG BROWN & ROOT SERVICES, INC., et al v.
UNITED STATES DEPARTMENT OF DEFENSE
Assigned to: Judge John D. Bates
Case: [1:10-cv-00414-JDB](#)

Date Filed: 11/12/2009
Date Terminated: 04/15/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

Plaintiff

**KELLOGG BROWN & ROOT
SERVICES, INC.**

represented by **Daniel Edward Johnson**
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, NW
Washington, DC 20006
(202) 496-7786
Fax: (202) 496-7756
Email: djohnson@mckennalong.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

KELLOGG BROWN & ROOT, INC.

represented by **Daniel Edward Johnson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES DEPARTMENT OF
DEFENSE**

represented by **Heather D. Graham-Oliver**
U.S. ATTORNEY'S OFFICE
501 3rd Street
Room 44808
Washington, DC 20530
(202) 305-1334
Fax: (202) 514-8780
Email: heather.graham-oliver@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/12/2009	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF DEFENSE (Filing fee \$ 350, receipt number 4616025355) filed by KELLOGG BROWN & ROOT SERVICES, INC.,, KELLOGG BROWN & ROOT, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Civil Cover Sheet)(dr) (Entered: 11/12/2009)
11/12/2009		SUMMONS (2) Issued as to U.S. Attorney and U.S. Attorney General (dr) (Entered: 11/12/2009)
11/12/2009	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by KELLOGG BROWN & ROOT SERVICES, INC.,, KELLOGG BROWN & ROOT, INC. identifying Corporate Parent KBR, INC. for KELLOGG BROWN & ROOT SERVICES, INC.,, KELLOGG BROWN & ROOT, INC.. (dr) (Entered: 11/12/2009)
11/18/2009	<u>3</u>	NOTICE of Appearance by Heather D. Graham-Oliver on behalf of UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 11/18/2009)
12/10/2009	<u>4</u>	Consent MOTION for Extension of Time to File <i>Responsive Pleading</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 12/10/2009)

12/11/2009		MINUTE ORDER: Upon consideration of 4 defendant's consent motion for an extension of time to file its responsive pleading, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that defendant shall file its responsive pleading by not later than January 13, 2010. SO ORDERED. Signed by Judge John D. Bates on 12/11/2009. (lcjdb2) (Entered: 12/11/2009)
01/13/2010	5	Consent MOTION for Extension of Time to File Answer by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 01/13/2010)
01/14/2010		MINUTE ORDER: Upon consideration of 5 defendant's consent motion for an extension of time to file a responsive pleading, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that defendant shall file its responsive pleading by not later than January 27, 2010. SO ORDERED. Signed by Judge John D. Bates on 1/14/2010. (lcjdb2) (Entered: 01/14/2010)
01/27/2010	6	ANSWER to 1 Complaint, by UNITED STATES DEPARTMENT OF DEFENSE. (Graham-Oliver, Heather) (Entered: 01/27/2010)
01/27/2010	7	NOTICE <i>Regarding Proposed Scheduling Order</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 01/27/2010)
03/03/2010		MINUTE ORDER: Upon the Court's own motion, and in consideration of the entire record herein, it is hereby ORDERED that the parties shall file, by not later than March 5, 2010, a proposed schedule for this action. SO ORDERED. Signed by Judge John D. Bates on 3/3/2010. (lcjdb2) (Entered: 03/03/2010)
03/05/2010	8	NOTICE of Proposed Order by UNITED STATES DEPARTMENT OF DEFENSE (Attachments: # 1 Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 03/05/2010)
03/08/2010	9	ORDER setting the scheduling in this action. See text of Order for details. Signed by Judge John D. Bates on 3/8/2010. (lcjdb2) (Entered: 03/08/2010)
03/08/2010		Set/Reset Deadlines: Defense Contract Audit Agency's Motion due by 6/7/2010. Responses due by 7/7/2010. Replies due by 7/16/2010. Defense Contract Management Agency's Summary Judgment motion due by 5/5/2010. Response to Motion for Summary Judgment due by 6/7/2010. Reply to Motion for Summary Judgment due by 6/17/2010. (tb,) (Entered: 03/11/2010)
05/05/2010	10	MOTION for Extension of Time to <i>File Motion for Summary Judgment on behalf of DCMA</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 05/05/2010)

05/11/2010		MINUTE ORDER: Upon consideration of 10 the Defense Contract Management Agency's (DCMA) motion for an extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: DCMA shall file its motion for summary judgment by not later than May 26, 2010; plaintiffs shall file their opposition to DCMA's motion by not later than June 28, 2010; DCMA shall file its reply in support of its motion by not later than July 8, 2010. SO ORDERED. Signed by Judge John D. Bates on 5/11/2010. (lcjdb2) (Entered: 05/11/2010)
05/26/2010	1 1	MOTION for Extension of Time to File <i>DCMA'S Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 05/26/2010)
05/26/2010		MINUTE ORDER: Upon consideration of 11 the Defense Contract Management Agency's (DCMA) motion for an extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: DCMA shall file its motion for summary judgment by not later than June 23, 2010; plaintiffs shall file their opposition to DCMA's motion by not later than July 26, 2010; DCMA shall file its reply in support of its motion by not later than August 5, 2010. SO ORDERED. Signed by Judge John D. Bates on 5/26/2010. (lcjdb2) (Entered: 05/26/2010)
06/07/2010	1 2	Second MOTION for Extension of Time to <i>File motion for Summary Judgment and to Produce Documents</i> by UNITED STATES DEPARTMENT OF DEFENSE (Attachments: # 1 Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 06/07/2010)
06/09/2010	1 3	Memorandum in opposition to re 12 Second MOTION for Extension of Time to <i>File motion for Summary Judgment and to Produce Documents</i> filed by KELLOGG BROWN & ROOT SERVICES, INC., KELLOGG BROWN & ROOT, INC.. (Attachments: # 1 Text of Proposed Order)(Johnson, Daniel) (Entered: 06/09/2010)
06/10/2010		MINUTE ORDER: Upon consideration of 12 the Defense Contract Audit Agency's motion for an extension of time, 13 plaintiffs' opposition thereto, and the entire record herein, it is hereby ORDERED that the motion is GRANTED as modified; it is further ORDERED as follows: the Defense Contract Audit Agency shall file its motion for summary judgment by not later than August 2, 2010; plaintiffs shall file their opposition thereto by not later than September 2, 2010; and the Defense Contract Audit Agency shall file its reply in support of its motion by not later than September 17, 2010. SO ORDERED. Signed by Judge John D. Bates on 6/10/2010. (lcjdb2,) (Entered: 06/10/2010)
06/23/2010	1 4	MOTION for Extension of Time to <i>File Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 06/23/2010)

06/25/2010	<u>1</u> <u>5</u>	Memorandum in opposition to re <u>14</u> MOTION for Extension of Time to <i>File Motion For Summary Judgment</i> filed by KELLOGG BROWN & ROOT SERVICES, INC., KELLOGG BROWN & ROOT, INC.. (Attachments: # <u>1</u> Exhibit Ex. 1 to Opposition, # <u>2</u> Text of Proposed Order)(Johnson, Daniel) (Entered: 06/25/2010)
06/25/2010		MINUTE ORDER: Upon consideration of <u>14</u> the Defense Contract Management Agency's motion for an extension of time, <u>15</u> plaintiffs' opposition thereto, and the entire record herein, it is hereby ORDERED that the motion is GRANTED as modified; it is further ORDERED as follows: the Defense Contract Management Agency shall file its motion for summary judgment by not later than July 12, 2010; plaintiffs shall file their opposition thereto by not later than August 13, 2010; and the Defense Contract Management Agency shall file its reply in support of its motion by not later than August 23, 2010. SO ORDERED. Signed by Judge John D. Bates on 6/25/2010. (lcjdb2) (Entered: 06/25/2010)
07/06/2010		Set/Reset Deadlines: Response due by 7/7/2010. (tb,) (Entered: 07/06/2010)
07/23/2010	<u>1</u> <u>6</u>	MOTION for Leave to File <i>Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Declaration)(Graham-Oliver, Heather) (Entered: 07/23/2010)
07/26/2010		(DEADLINES VACATED PURSUANT TO ORDER FILED ON 8/6/2010).....MINUTE ORDER: Upon consideration of <u>16</u> the Defense Contract Management Agency's ("DCMA") motion for extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED as modified; it is further ORDERED as follows: the DCMA's motion for summary judgment shall be filed by not later than August 6, 2010; plaintiffs' opposition thereto shall be filed by not later than September 7, 2010; DCMA's reply in support of its motion, if any, shall be filed by not later than September 17, 2010; and it is further ORDERED that the Court will not grant DCMA any further extensions of time. SO ORDERED. Signed by Judge John D. Bates on 7/26/2010. (lcjdb2) Modified on 8/9/2010 (dr). (Entered: 07/26/2010)
07/30/2010	<u>1</u> <u>7</u>	Consent MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Exhibit) (Graham-Oliver, Heather) (Entered: 07/30/2010)
08/02/2010		MINUTE ORDER: Upon consideration of <u>17</u> the Defense Contract Audit Agency's motion for extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: the Defense Contract Audit Agency's motion for summary judgment shall be filed by not later than August 20, 2010; plaintiffs' opposition thereto shall be filed by not later than September 30, 2010; the Defense Contract Audit Agency's reply in support of their motion shall be filed by not later than October 14, 2010. SO ORDERED. Signed by Judge John D. Bates on 8/2/2010. (lcjdb2) (Entered: 08/02/2010)

08/06/2010	<u>18</u>	Unopposed MOTION to Amend/Correct <i>July 26, 2010, Minute Order</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 08/06/2010)
08/06/2010		MINUTE ORDER: Upon consideration of <u>18</u> the Defense Contract Management Agency's consent motion to amend the schedule in this case, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the deadlines set in the Court's July 26, 2010 Minute Order are VACATED. SO ORDERED. Signed by Judge John D. Bates on 8/6/2010. (lcjdb2) (Entered: 08/06/2010)
08/20/2010	<u>19</u>	ENTERED IN ERROR.....Consent MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) Modified on 8/20/2010 (dr). (Entered: 08/20/2010)
08/20/2010		NOTICE OF CORRECTED DOCKET ENTRY: re <u>19</u> Consent MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> was entered in error at request of counsel, and counsel will refile said pleading. (dr) (Entered: 08/20/2010)
08/20/2010	<u>20</u>	Consent MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 08/20/2010)
08/20/2010		MINUTE ORDER: Upon consideration of <u>20</u> defendant's motion for an extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: defendant shall file its motion for summary judgment by not later than September 20, 2010; plaintiffs shall file their opposition to defendant's motion by not later than October 20, 2010; and defendant shall file its reply in support of its motion, if any, by not later than November 3, 2010. SO ORDERED. Signed by Judge John D. Bates on 8/20/2010. (lcjdb2) (Entered: 08/20/2010)
09/20/2010	<u>21</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 09/20/2010)
09/21/2010		MINUTE ORDER: Upon consideration of <u>21</u> defendant's motion for an extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: defendant shall file its motion for summary judgment by not later than October 12, 2010; plaintiffs shall file their opposition to defendant's motion by not later than November 12, 2010; and defendant shall file its reply in support of its motion, if any, by not later than November 22, 2010. SO ORDERED. Signed by Judge John D. Bates on 9/21/2010. (lcjdb2) (Entered: 09/21/2010)

10/15/2010	2 2	Consent MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 10/15/2010)
10/18/2010		MINUTE ORDER: Upon consideration of 22 defendant's motion for an extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED as follows: defendant shall file its motion for summary judgment by not later than November 12, 2010; plaintiffs shall file their opposition to defendant's motion by not later than December 13, 2010; and defendant shall file its reply in support of its motion, if any, by not later than December 20, 2010. SO ORDERED. Signed by Judge John D. Bates on 10/18/2010. (lcjdb2) (Entered: 10/18/2010)
11/12/2010	2 3	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 11/12/2010)
11/15/2010		MINUTE ORDER: Upon consideration of 23 defendant's consent motion for enlargement of time to file its motion for summary judgment, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that defendant shall file its motion for summary judgment by not later than December 3, 2010. SO ORDERED. Signed by Judge John D. Bates on 11/15/2010. (lcjdb2) (Entered: 11/15/2010)
12/03/2010	2 4	Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment (FOIA)</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 12/03/2010)
12/06/2010		VACATED PURSUANT TO MINUTE ORDER FILED ON 01/31/2011.....MINUTE ORDER: Upon consideration of 24 defendant's consent motion for enlargement of time to file its motion for summary judgment, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that defendant shall file its motion for summary judgment by not later than January 28, 2011. SO ORDERED. Signed by Judge John D. Bates on 12/06/2010. (lcjdb2) Modified on 2/1/2011 (dr). (Entered: 12/06/2010)
01/28/2011	2 5	Consent MOTION to Amend/Correct <i>Court's December 6, 2010 Scheduling Order</i> by UNITED STATES DEPARTMENT OF DEFENSE (Graham-Oliver, Heather) (Entered: 01/28/2011)
01/31/2011		MINUTE ORDER: Upon consideration of 25 defendant's consent motion to vacate the December 6, 2010 scheduling order, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the parties shall have a 30-day period in which to continue settlement discussions regarding attorney fees. In the event that settlement negotiations are unsuccessful, it is further ORDERED as follows: plaintiff shall file its motion for attorney's fees by not later than March 1, 2011; defendant shall file its opposition to plaintiff's motion by not later than March 15, 2011; and plaintiff shall file its reply, if any, by not later than

		March 22, 2011. SO ORDERED. Signed by Judge John D. Bates on 1/31/2011. (lcjdb2) (Entered: 01/31/2011)
02/02/2011		Set/Reset Deadlines: Motion due by 3/1/2011. Response due by 3/15/2011. Reply due by 3/22/2011. (tb,) (Entered: 02/02/2011)
04/15/2011	<u>2</u> <u>6</u>	NOTICE of Voluntary Dismissal <i>with prejudice</i> by All Parties (Johnson, Daniel) Modified on 4/18/2011 to edit text (dr). (Entered: 04/15/2011)

PACER Service Center			
Transaction Receipt			
09/20/2011 15:18:45			
PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	1:09-cv-02120-JDB
Billable Pages:	5	Cost:	0.40